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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/663,354

09/16/2003

Joachim Schnabel

BGJ-101

1603

7590

02/01/2005

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EXAMINER

EASTHOM, KARL D

ART UNIT

PAPER NUMBER

2832

DATE MAILED: 02/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

2M

Office Action Summary	Application No. 10/663,354	Applicant(s) SCHNABEL ET AL.	
	Examiner Karl D Easthom	Art Unit 2832	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/17/2004</u> . | 6) <input type="checkbox"/> Other: ____. |

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1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 11-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "and/or" is not clear since it is not clear which conditions must be met to satisfy the claim. The term "in particular" is not clear because it could be limiting or exemplary.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-15, 17 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Iniewski et al. Iniewski discloses the claimed invention at Fig. 4 with well 11 and resistors 13 as described at the bottom of col. 3. The resistors are displaced in relation to one another (from left to right) when viewed in any direction, including a longitudinal direction. Or a longitudinal direction is the direction from left to right. In claims 2-8, there are at least five resistors of substantially the same length, width, resistance structure, and depth. In claim 9, the resistor are displaced alternately to a front end and a rear end of the well, or conductive structure 9, for example. For claim 10, a first resistor is displaced approximately a length of a second resistor (the third or fourth in the figure for example), and all resistors are adjacent where the term means close. In claims 11-12, the distance is smaller than one fifth of a length for example. IN claims 13-14, the resistors are relatively strongly or weakly doped depending relative to the n-

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well or conductors for example. In claim 15, the resistors are diffusion. In claim 17, the pads 9 are output.

5. Claims 1-7 and 9-21 rejected under 35 U.S.C. 102(b) as being anticipated by Kant.

Kant discloses the claimed invention at Fig. 3 with resistors 21-23 and well 15. The substrate is a well where claim 3 of Kant discloses a n type with p type resistor diffusion. That is (as Iniewski defines it, see well 3 at Fig. 1, the well is an opposite type doped region like that of Kant.) The latter meets claim 15. For claims 18-19, a parallel device is disclosed at col. 3, lines 30-35. For claims 2-7, the resistors are substantially the same as claimed where the term is broad and without definition. For claim 9, the displacement is as seen where ends are not defined, so that the resistors are displaced to each of its own ends, for example. For claim 10, resistors 22 and 23 meet the claim. For claims 11-12, the breadth is met in terms of length or the distances a, b vary. For claims 13-14, the doping is relative and met by claim 3 of Kant. For claims 16 and 20, the MSI, microprocessor circuits, memory, or SSI are deemed signal driver devices since they produce signals and are connected to the resistors.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karl D Easthom whose telephone number is (571) 272-1989. The examiner can normally be reached on M-Th, 5:30AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad can be reached on (571) 272-1990. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Karl D Easthom
Primary Examiner
Art Unit 2832

KDE